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Kay Bauman, M.D.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAI'I

WILLIAM S. AHOLELEI,	)	CASE NO. 03-00171 HG-KSC
	)	
Plaintiff,	)	DEFENDANT KAY BAUMAN,
	)	M.D.'S <b>RULE LR 56.2 NOTICE</b>
vs.	)	<b>TO PLAINTIFF; CERTIFICATE OF</b>
	)	<b>SERVICE</b>
BARBARA KYSAR, DOCTOR S.	)	
PADERES, DOCTOR BAUMAN,	)	
DOES I-V,	)	
	)	
Defendants.	)	Trial Date: December 5, 2006
	)	

306-072/P.LR56.2 Notice.wpd

DEFENDANT KAY BAUMAN, M.D.'S  
RULE LR 56.2 NOTICE TO PLAINTIFF

THIS NOTICE IS REQUIRED TO BE GIVEN TO YOU BY THE COURT.

Defendant Kay Bauman, M.D. has made a motion for summary judgment by which she seeks to have your case dismissed. A motion for summary judgment under Rule 56 of the Federal Rules of Civil Procedure will, if granted, end your case. Rule 56 tells you what you must do in order to oppose a motion for summary judgment. Generally, summary judgment must be granted when there is no genuine issue of material fact—that is, if there is no real dispute about any fact that would affect the result of your case, the party who asked for summary judgment is entitled to judgment as a matter of law, which will end your case. When a party you are suing makes a motion for summary judgment that is properly supported by declarations (or other sworn testimony), you cannot simply rely on what your complaint says. Instead, you must set forth your specific facts in declarations, depositions, answers to interrogatories, or authenticated documents, as provided in Rule 56(e), that contradict the facts shown in the defendant's declarations and documents and show that there is a genuine issue of material fact for trial. If you do not submit your own evidence in opposition, summary judgment, if appropriate, may be entered against you. If summary judgment is granted, your case will be dismissed and there will be no trial.

This notice is also being provided to you in accordance with Rule 56.2, Local Rules of the United States District Court for the District of Hawai'i. You are required to comply with Rule 56.1, Local Rules for the United States District Court for the District of Hawai'i. This rule sets out the local requirements for summary judgment motions and for opposition to such motions. To oppose a motion, you must file a concise statement that accepts the facts set forth in the moving parties' concise statement, or sets forth all material facts as to which it is contended there exists a genuine issue necessary to be litigated. When preparing the separate concise statement, you are required to reference only the material facts that are absolutely necessary for the court to determine the limited issues presented in the motion for summary judgment (and no others), and each reference shall contain a citation to a particular affidavit, deposition, or other document that supports your interpretation of the material fact. Documents referenced in the concise statement shall not be filed in their entirety. Instead, you shall extract and highlight only the relevant portions of each referenced document. Photocopies of extracted pages, with appropriate identification and highlighting will be adequate. The concise statement shall be no longer than five (5) pages. When resolving motions for summary judgment, the court shall have no independent duty to search and consider any part of the court record not otherwise referenced in the separate

concise statement.

If necessary, you may request further guidance from the court regarding the requirements of Rule 56, Federal Rules of Civil Procedure, and Rule 56.1, Local Rules for the United States District Court for the District of Hawai'i.

DATED: Honolulu, Hawai'i, JUL 31 2006.

A handwritten signature in cursive script, appearing to read "Arthur F. Roeca", written over a horizontal line.

ARTHUR F. ROECA

APRIL LURIA

Attorneys for Defendant

Kay Bauman, M.D.